

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

BRIAN J. STRETCH (CSBN 163973)  
Chief, Criminal Division

PATRICIA J. KENNEY (CSBN 130238)  
Assistant United States Attorney

450 Golden Gate Avenue  
San Francisco, CA 94102  
Telephone: 415.436.6857  
Facsimile: 415.436.6748  
Email: patricia.kenney@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )

v. )

\$152,460.15 IN FUNDS FROM )  
WELLS FARGO ACCOUNT )  
NUMBER 031-1834949, )  
 )  
Defendant. )

SAEI COMPANY AND DARIUSH B. )  
GILANI, PRESIDENT OF SAEI )  
COMPANY, )  
 )  
Claimants. )

NO. C 06-5759 JSW

STIPULATED DISMISSAL  
AND RESPONSE TO THE  
COURT'S APRIL 3, 2009 ORDER  
AND ORDER THEREON

The parties agree, subject to the Court's approval, that the instant civil forfeiture case be, and hereby is, DISMISSED, because defendant \$152,460.15 has been criminally forfeited.

Defendant \$152,460.15 was forfeited in a related criminal case, *United States v. Sponsors for American Educational Institutes, Inc. ("SAEI")*, 08-CR-00446 JW, by the Final Order of Forfeiture entered on April 2, 2009 (copy attached). On July 9, 2008, the United States charged

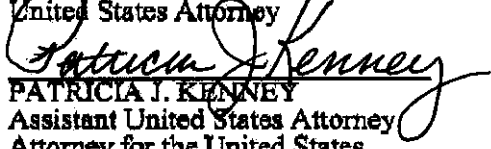
SAEI in an Information with violating 18 U.S.C. § 1960 (operating an unlicensed money transmitting business). The Information also sought criminal forfeiture of \$152,460.15 seized from a Wells Fargo Bank Account ending in "4949," the same \$152,460.15 which is a defendant in this civil case. On September 13, 2008, SAEI plead guilty to the sole count in the Information and consented to the forfeiture allegation. On September 15, 2008, the United States and SAEI stipulated to a preliminary order of forfeiture. See 08-CR-00446, Stipulation and Preliminary Order of Forfeiture, entered September 15, 2008. After the United States gave the required notice to the public so that any third party claiming any right, title or interest in the funds could petition the Court, see Fed. R. Crim. P. 32.2, the United States applied to the Court for a final order of forfeiture. On April 2, 2009, the Court entered the Final Order of Forfeiture.

AUSA Hinds handled the criminal matter beginning in September because the undersigned AUSA was on medical leave. As a result, the undersigned mistakenly believed that steps had been taken to dismiss this case.

IT IS SO STIPULATED:

Dated: April 6, 2009

JOSEPH P. RUSSONIELLO  
United States Attorney

  
PATRICIA J. KENNEY  
Assistant United States Attorney  
Attorney for the United States

Dated: April 6, 2009

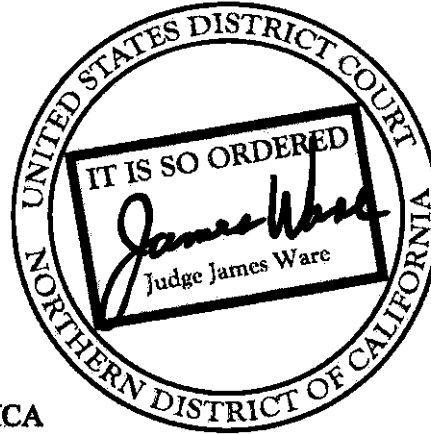
  
ROBERT J. MULHERN  
Attorney for Claimants SAEI Company and  
Dariush B. Gilani, President, SAEI Company

PURSUANT TO THE FOREGOING STIPULATION, THE INSTANT CASE BE, AND  
HEREBY IS, DISMISSED.

Dated: April 8, 2009

  
HONORABLE JEFFREY S. WHITE  
United States District Judge

Stipulated Dismissal  
No. 06-5759 JSW



UNITED STATES OF AMERICA  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SPONSORS FOR AMERICAN  
EDUCATIONAL INSTITUTES, INC.,

Defendant.

Case No. CR 08-00446 JW

~~Proposed~~ FINAL ORDER OF  
FORFEITURE

On September 15, 2008, the Court entered a Preliminary Order of Forfeiture forfeiting the defendant's right, title, and interest in \$152,460.15 United States Currency seized from Wells Fargo Bank Account ending "4949" pursuant to Title 18, United States Code, Section 982.

The United States represents that it has complied with the publication and notice requirements of the Preliminary Order and that no petitions have been filed.

THEREFORE, it is ordered that the above-described property shall be forfeited to the United States, pursuant to Title 18, United States Code, Section 982. All right, title, and interest in said property is vested in the United States of America. The appropriate federal agency shall dispose of the forfeited property according to law.

Dated: April 2, 2009

  
JAMES WARE  
United States District Judge